

## REMARKS

Claims 1-5 and 7-10 are pending.

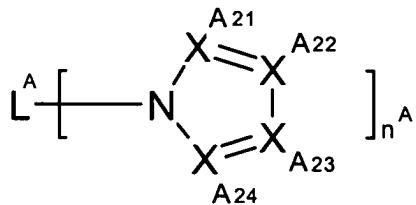
Claims 1-5 and 7-10 are rejected.

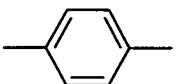
### **35 USC 102(e)**

Claims 1-5 and 7-10 are rejected under 35 USC 102(e) as being anticipated by Ise et al., U.S. 6,962,755.

Examiner believes Ise to disclose a light-emitting element comprising at least a light-emitting layer containing a light emitting material and a host material disposed between two electrodes.

Ise discloses a formula A-II at the top of column 13.



Examiner believes Ise to read on the present claims when  $n^A$  is 2,  $X^{A21}$  and  $X^{A24}$  are nitrogen,  $X^{A22}$  and  $X^{A23}$  are  $-CH$  and  $L^A$  is a bivalent group, for example  .

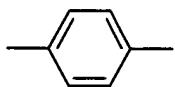
The resulting formula would be



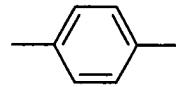
The applicants point out to the examiner, that this structure is not encompassed by the present formula (1) or (III) as there is no aromatic ( $Ar^1$  and  $Ar^2$ ) fused to the nitrogen containing rings. The present claim 1 requires the  $Ar^1$  and  $Ar^2$  to be independently of each other C6-C30 aryl or a C2-C26 heteroaryl, which can be optionally substituted.

The examiner also states that Ise's general formula A-II reads on the present formulae I and III in present claims 1-2 and formula IIIa of claim 8 when

when  $a=b=c=$ zero and  $Ar^1$  and  $Ar^2$  are

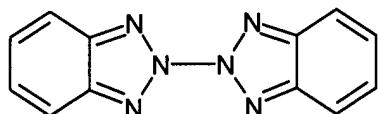


But  $Ar^1$  and  $Ar^2$  are presently defined as a C6-C30aryl or a C2-C26 heteroaryl.



is not

encompassed by the  $Ar^1$  or  $Ar^2$  definition. Applicants are guessing that the examiner had the structure below in mind when making the rejection.



But as can be clearly seen, Ise does not suggest this structure. Ar1 and Ar2 would have to be



in order to arrive at the structure above and Ise makes no such suggestion.

Furthermore, the definition of A-II at the top of column 13 is very generic. XA21, XA22, XA23 and XA24 might be a nitrogen atom or C-R (where R represents a hydrogen or a substituent). XA23 and XA24 might represent an aromatic ring possible a benzene ring or a pyridine ring. See col. 13, lines 28-30. However, one skilled in the art would have to do some very selective picking and choosing to arrive at a benzotriazole. Certainly there is little motivation to select a benzotriazole as the core of A-II as there is not one specific example of a benzotriazole within the entire disclosure of US'755.

#### MPEP 2131.03

When the prior art discloses a range which touches, overlaps or is within the claimed range, but no specific examples falling within the claimed range are disclosed, a case by case determination must be made as to anticipation. In order to anticipate the claims, the claimed subject matter must be disclosed in the reference with "sufficient specificity to constitute an anticipation under the statute." What constitutes a "sufficient specificity" is fact dependent. If the claims are directed to a narrow range, the reference teaches a broad range, and there is evidence of unexpected results within the claimed narrow range, depending on the other facts of the case, it may be reasonable to conclude that the narrow range is not disclosed with "sufficient specificity" to constitute an anticipation of the claims. The unexpected results may also render the claims unobvious. The question of "sufficient specificity" is similar to that of "clearly envisaging" a species from a generic teaching.

The Applicants believe that it would be very difficult to envision from the disclosure of US '755 the specific benzotriazole derivatives presently claimed. The Applicants have shown in the application (Device ) examples 3, 4 and 5 incorporating a benzotriazole compound of the present invention show excellent light emission brightness. Furthermore the organic EL devices remain stable. See page 54, lines 10-21 of the specification which elaborates on the advantages of using the specific benzotriazole compounds in an electroluminescent device. These advantages could not have been predicted in light of the disclosure of US'755 for benzotriazole type compositions.

Thus the Applicants believe the above rejection is rebutted for the two reasons cited above. US '755 structure A-II (top of column 13) does not encompass the presently claimed structures AND that even if the structure A-II did encompass the presently claimed structures, the suggestion is so remote and without sufficient specificity as to constitute an anticipation.

Reconsideration and withdrawal of the rejection of claims 1-5 and 7-10 is respectfully solicited in light of the remarks *supra*.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 1-5 and 7-10 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



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